

Springerville Town Council  
Meeting  
January 21, 2009  
6:00 p.m.

Council: Mary Nedrow Mayor, Eric Baca Vice Mayor, Bill Lucas, Ron Thebeau and Phelps Wilkins.

Staff: Steve West Town Manager, Val Cordova Town Clerk, Eduardo Coronado Town Attorney, Tom Malone Public Works Director.

Public: Robert Mackenzie (P&Z liaison) Kevin Burk and David Rempel.

1. Mayor Nedrow called the meeting to order at 6:00 p.m.
2. The Pledge of Allegiance was led by Councilman Wilkins.
3. Public Participation: None
4. Manager, Council and Chamber Reports:

Councilman Lucas reported on the January 14<sup>th</sup> Planning and Zoning hearings. After taking public comments on the C2 Zoning issue it had been resolved however there was some confusion with the RV Parks ordinance and it will be going back to the next meeting.

Mr. West reported that we will have an executive session regarding town property on the next agenda.

5. Consent Agenda.
  - a. Consider approval of the minutes from the December 17, 2008 Town Council meeting.
  - b. Consider approval of the minutes from the December 4, 08 Springerville-Eagar Joint meeting.
  - c. Consider approval of ratification of accounts payable for November 2008.
  - d. Consider approval of ratification of accounts payable for December 2008.
  - e. Consider approval of the minutes from the January 8, 09, Springerville-Eagar Joint Council meeting.

Phelps Wilkins/Eric Baca motion to approve consent items 5a. – 5e.

Councilman Lucas asked if there could be discussion on the consent agenda. He was advised that he could pull any item from the consent agenda and talk about it in regular session as an agenda item. He choose not to pull it.

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Ron Thebeau
		Phelps Wilkins

6. Water & Sewer Service outside of Town Boundaries.

Mr. West noted that there seems to be some confusion regarding whether the pros and cons are in the report. He said he would clarify it if there was discussion. He also noted that for the record two members of the council could be in potential conflict.

Councilman Lucas asked if he had the ability to participate if he declared a potential conflict. He was advised that he could participate if the Mayor calls for comments or questions from the public. Once a conflict is declared it makes him a member of the public.

Councilman Lucas declared a potential conflict of interest.

Councilman Thebeau also asked for clarification on what's considered a conflict of interest.

He was advised by Legal Counsel that if he felt that there was a conflict then he should declare it.

Councilman Thebeau said his concern was that he had constituents who approached him about this subject and he can't speak on their behalf if he has a conflict and asked he could talk to them about it.

He was advised that he can discuss it with them and let them know he'll do what he can but won't be able to vote on it. He was also advised to either relay the information to other council members or ask them to come before the council to discuss it.

Councilman Thebeau declared a conflict.

Mayor Nedrow announced for the record that two council members declared a conflict of interest.

Councilman Wilkins asked if there was any history of annexing that part of town and said he had mixed feelings on this issue.

Mr. West said when Becker Lane was brought into the town limits there were county islands that didn't want to be annexed in at that time but there are options on the table now for annexation that we ought to be looking at.

Mr. West said this would come back to the next meeting for discussion and action.

7. Resolution 2009-R001: Discussion and action declaring as a Public Record certain documents filed with the Town Clerk and entitled "Heavy Commercial Zone Ordinance.

Bill Lucas/Phelps Wilkins motion to adopt resolution 2009-R001 declaring as a public record certain documents filed with the Town Clerk and entitled "Chapter 17.70 C-2 Heavy Commercial."

Councilman Thebeau declared a conflict of interest.

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Phelps Wilkins

8. Ordinance 2009-001: First reading and discussion of ordinance 2009-001 adopting the public document entitled "Heavy Commercial Ordinance."

First read by Mayor Nedrow "An ordinance of the Town of Springerville, Arizona, adopting the public document entitled "Chapter 17.70 C-2 Zone, Heavy Commercial" by reference; providing for severability; and establishing an effective date:

Councilman Thebeau declared a conflict of interest.

Councilman Lucas reported that attendance for the public hearing on the C-2 heavy commercial was well attended who in general liked the document as presented. They requested that two items be struck from the document which was removed to make it strictly commercial.

Mayor Nedrow opened the discussion to the public:

Councilman Thebeau spoke as a member of the public stating that he didn't feel they gave consideration to anyone wanting housing in that area when they had it in originally then removed it. It was allowed in C-1 why would they not allow it in a C-2.

Commissioner MacKenzie advised that there would be complaints within a month if they allowed residential housing on a C-2 heavy commercial area. After discussion the commission voted to strike the residency wording in the ordinance.

Kevin Burk asked to address the council and saying he didn't like the C-2 zoning on part of his property. He preferred to keep it C-1.

9. Resolution 2009-R002: Discussion and action regarding adopting resolution 2009-R002 amending the Town of Springerville Fee Schedule effective February 21, 2009.

Resolution read by Mayor Nedrow, amending the fee schedule as required or allowed by the Town Code to adjust fees for services effective February 21, 2009, whereas, the Town wishes to update its fees to better recoup the costs associated with the following: Police reports, fingerprinting and records searches, kennel impoundments, euthanizations, call outs euthanasia, nuisance animal removal, and airport monthly/nightly hangar rental fees, monthly/nightly tie down fees and after hours call out fees.

Eric Baca/Bill Lucas motion to adopt resolution 2009-R002.

Mr. West noted that town fee schedule is changed by resolution and the airport fees were approved by the Springerville Municipal Airport Committee. (SMAC)

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Ron Thebeau
		Phelps Wilkins

10. Adjournment:

Phelps Wilkins/Eric Baca motion to adjourn the meeting at 6:37p.m.

Vote:	Ayes:	Mary Nedrow
		Eric Baca
		Bill Lucas
		Ron Thebeau
		Phelps Wilkins

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Mary Nedrow, Mayor

ATTEST:

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Town Clerk

I hereby certify that the foregoing is a true and correct copy of the minutes of the Springerville Town Council in regular session on Wednesday January 21, 2009. I further certify that the meeting was duly called and quorum was present.

Dated this 26<sup>th</sup> day of January 2009.

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Town Clerk